FILED

March 19, 2010

CLERK, U.S. BANKRUPTCY COURT EASTERN DISTRICT OF CALIFORNIA

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In re:

Chad M. Johnson, SBN: 232417 Joseph Feist, SBN: 249447 Mark Shmorgon, SBN: 255939 25 Cadillac Dr., Suite 200 Sacramento, CA 95825 Tel: (916) 979-6100 Fax: (916) 979-6120

Attorneys for Debtors KONSTANTIN MAKARENKO and NADEZHDA A. MAKARENKO

UNITED STATES BANKRUPTCY COURT

EASTERN DISTRICT COURT OF CALIFORNIA

KONSTANTIN MAKARENKO and NADEZHDA A. MAKARENKO

Debtors.

) Case No.: 10-24843-C-7

Chapter 7

) DCN: ADS - 01

) MOTION FOR ORDER COMPELLING TRUSTEE TO ABANDON DEBTOR'S **BUSINESS AS ASSET OF ESTATE [11** USCS §§ 554(b), 721]

Date: April 27, 2010 Time: 9:30 a.m. Courtroom: 35, 6th Floor

Honorable Judge Christopher M. Klein

NTC and MTN to Compel Abandonment; Points and Authorities

MOTION FOR ORDER COMPELLING TRUSTEE TO ABANDON DEBTOR'S BUSINESS AS AN ASSET OF THE ESTATE

Debtors KONSTANTIN MAKARENKO and NADEZHDA A. MAKARENKO, by and through their attorney of record Mark Shmorgon, will and hereby do bring a Motion to Compel Trustee to Abandon The Estate's Interest in Debtors' Business ("Motion") pursuant to 11 U.S.C.S. §§554(b) and 721 of the Bankruptcy Code and Federal Rule of Bankruptcy Procedure 6007(b).

By this motion Debtor requests that the Court enter an order compelling the Chapter 7 Trustee to abandon the bankruptcy estate's interest in Debtor's business on the following grounds:

- 1. Debtor's business does not possess or own any assets that might be liquidated for value to benefit creditors and is therefore of inconsequential benefit to the estate, and;
- 2. The retention and operation of the business by the Trustee would be burdensome and costly to the estate and the creditors thereof.

Said grounds will be supported by this notice of motion, by the motion filed herewith, by the pleadings and papers on file in this bankruptcy case, memorandum of points and authorities herein, declaration in support of this motion and exhibits, if any, filed herewith, and by such oral and documentary evidence as the Court may permit upon the hearing of this motion.

ATTORNEY DEBT SOLUTIONS_PC

Dated:

Mark Shmorgon
Attorney for Debtors

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